

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Case No.: 15-43716-nhl

Jacob Fetman,

Chapter 7

Debtor.
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**TRUSTEE’S RESPONSE TO MOTION TO WITHDRAW
AND PAPERS FILED ON THE MOTION**

TO THE HONORABLE NANCY HERSHEY LORD
UNITED STATES BANKRUPTCY JUDGE:

Robert J. Musso (“Trustee”), by his attorneys, Rosenberg, Musso & Weiner, as his response to the motion of Rachel Blumenfeld to withdraw as attorney for Jacob Fetman (“Debtor”), respectfully represents:

1. On August 11, 2015 (“Filing Date”), an involuntary petition for relief under Chapter 11 of Title 11 United States Code (the “Bankruptcy Code”) was filed against Jacob Fetman (the “Debtor”) and on October 28, 2015, the Trustee was appointed as trustee of the Debtor’s estate. On November 21, 2015, this Court entered an order for relief under Chapter 7 of the Bankruptcy Code.

2. The Trustee takes no position on the motion to withdraw, but files this response to clarify some of the comments made by the Debtor in his response supporting the motion to withdraw. At no time did Ms. Blumenfeld “request” that the Trustee pay her fees. The Trustee has no authority to award fees, only the Court can do that. The Court will decide whether Ms. Blumenfeld should be paid from the monies collected in this case, not the Trustee.

3. The Trustee also wants to respond to the comments that the Trustee has a “cozy” relationship with Ms. Blumenfeld. The Trustee knows many attorneys that practice before this

Court and maintains a good relationship with many of them, including Ms. Blumenfeld. At no time has that relationship changed in any way how the Trustee administers an estate or how his attorneys represent the Trustee. The foregoing is true in this case, just like it is true in every case in which the Trustee acts as trustee.

WHEREFORE, it is respectfully requested that this Court decide the motion to withdraw on its merits, together with such other and further relief as is just and proper.

Dated: Brooklyn, New York
June 5, 2018

ROSENBERG, MUSSO & WEINER, LLP
Attorneys for the Trustee

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